

Message Text

LIMITED OFFICIAL USE

PAGE 01 BUENOS 00391 211523Z

41

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 SSO-00 NSCE-00 INRE-00 USIE-00

CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00 INR-07 NSAE-00

FAA-00 SS-15 PM-04 NSC-05 SP-02 L-03 H-02 /054 W

----- 076684

O 211343Z JAN 76

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC IMMEDIATE 4202

LIMITED OFFICIAL USE BUENOS AIRES 0391

E.O. 11652: N/A

TAGS: EAIR, AR

SUBJECT: CIVAIR: US/GOA BILATERAL CONSULTATIONS AND BRANIFF'S
SCHEDULED CHANGES

REF: A) STATE 9629, B) STATE 11399

1. GENERAL GONZALES OF DNTAC REQUESTED ECONCOUNS TO CALL ON HIM JAN 16, PRIOR TO RECEIPT REFTEL B. HE WISHED TO GO OVER WITH COUNS EACH POINT IN INITIAL US POSITION (PARA 3, REF A) AND CLARIFY GOA VIEWS. HOWEVER, GONZALES REMARKS, IT DEVELOPED, CORRESPONDED TO ARGENTINE RESPONSE TO US REQUESTS AS REPORTED PARA SIX REFTEL A, WITH NO SURPRISES OR ADDITIONS. MAIN REASON FOR CALLING IN ECONCOUNS TURNED OUT TO BE GONZALES CONCERN OVER US DESIRE FOR OPERATIONAL FLEXIBILITY. GONZALES APPEARED TO BE SINCERELY IN DILEMMA ABOUT APPROACH GOA COULD TAKE IN FURTHER RESPONSES TO US PROPOSAL. HE ACKNOWLEDGED IMPORTANCE OF FLEXIBILITY FOR THE US AND CARRIERS BUT SAID THAT HE REALLY DID NOT KNOW HOW GOA UNDER ITS PRESENT DOCTRINE AND LEGISLATION COULD GO ALONG WITH CONCEPT AS PROPOSED BY US. HE URGED ECONCOUNS TO INFORMALLY DISCUSS THIS DIFFICULTY WITH LOCAL US CARRIER REPS AND EXPLORE ANY POSSIBILITIES FOR COMPROMISE WHICH MIGHT GIVE US CARRIERS ESSENTIALLY WHAT THEY NEED AND AT THE SAME TIME WOULD BE ACCEPTABLE TO GOA. HE HOPED THAT IN THE 90 DAYS BEFORE THE NEXT SESSION OF THE TALKS SOME COMPROMISE COULD

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BUENOS 00391 211523Z

BE REACHED. MORE THAN ONCE HE REPEATED THAT TO ACCEPT US PROPOSAL

AS STATED WOULD BE SCARCELY FEASIBLE FOR GOA, BUT THAT HE WOULD DO HIS BEST TO GO ALONG WITH US AS FAR AS POSSIBLE.

2. ECON COUNDS HAD NOT HAD OPPORTUNITY TO STUDY CONTENTS REFTEL A WHICH HAD JUST ARRIVED, BUT STRESSED TO GONZALES THAT OPERATIONAL FLEXIBILITY WAS KEY ELEMENT IN US POSITION, OF GREAT SIGNIFICANCE TO US CARRIERS, AND COULD ALSO BENEFIT AEROLINEAS. HE DID, HOWEVER, UNDERSTAND GONZALES' PROBLEM AND WOULD ENDEAVOR TO BE HELPFUL.

3. REFERENCE WAS MADE DURING THIS PART OF CONVERSATION TO BRANIFF SCHEDULE CHANGES OF WHICH ECONCOUNS AWARE FROM PREVIOUS TALK WITH LOCAL BRANIFF REP. FOLLOWING DISCUSSION US AND GOA POSITIONS GENERALLY, GONZALES CALLED IN OVEJERO, HIS CHIEF ADVISOR ON ROUTES AND FREQUENCIES, AND ASKED HIM TO EXPLAIN WHAT BRANIFF WANTED. AFTER GOING OVER THE DETAILS, OVEJERO AND GONZALES GOT TO CRUX OF PROBLEM, WHICH WAS ADDITION OF LA PAZ TO NEW YORK/MIAMI/BALBOA/GUAYAQUIL/LIMA/ANTOFAGASTA/BUENOS AIRES ROUTE AND ADDITIONS OF LA PAZ AND ASUNCION TO SAN FRANCISCO/LOS ANGELES/LIMA/SANTIAGO/BUENOS AIRES ROUTE. GONZALES REFERRED TO REMARKS EXCHANGED WITH US CHAIRMAN TOWARDS END OF WASHINGTON MEETING IN WHICH EACH HAD AGREED TO AVOID NEW DIFFICULTIES BEARING ON OPERATIONS OF EACH OTHERS AIRLINES. HE HAD SAID, ACCORDING TO GONZALES, THAT GOA WOULD ENDEAVOR TO BE FORTHCOMING BUT WAS LIMITED BY GOA LAW. US CHAIRMAN, GONZALES NOTED, HAD ALSO INDICATED THAT US HAD SIMILAR LIMITATIONS IMPOSED BY ITS OWN LEGISLATION. IN THE CASE OF PROPOSED CHANGES IN BRANIFF'S ROUTE, THAT IS, THE ADDITION OF LA PAZ ON ONE ROUTE AND LA PAZ AND ASUNCION ON THE OTHER, GONZALES' HANDS WERE TIED. HE SAID IN ALMOST EMOTIONAL TONE THAT HE WISHED TO BE HELPFUL BUT UNDER ARGENTINE LAW HE HAD NO AUTHORITY AS HEAD OF DNTAC TO GRANT THESE CHANGES ADMINISTRATIVELY. HE COULD NOT RPT NOT WAIVE PUBLIC HEARINGS AND HOPED US WOULD UNDERSTAND THIS. OVEJERO SAID THAT DNTAC WOULD GO SO FAR AS TO ADVANCE CASE ON THE DOCKET, SO THAT PROMPT HEARINGS COULD BE HELD AND MATTER RESOLVED IN FAVOR OF BRANIFF. NEVERTHELESS THIS WOULD TAKE SOME TIME, AND PROCEDURE COULD PROBABLY NOT BE COMPLETED BEFORE EARLY MARCH, WHICH HE RECOGNIZED WOULD NOT BE SATISFACTORY TO BRANIFF. THERE WERE ONE OR TWO OTHER MINOR PROBLEMS WITH THE SCHEDULES, BUT THESE COULD BE CLEARED UP WITHOUT MAJOR LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 BUENOS 00391 211523Z

DIFFICULTY. ECONCOUNS ADVISED GONZALES HE WOULD DISCUSS PROBLEM WITH BRANIFF AND WOULD ALSO REPORT TO WASHINGTON. WE ASSUME BRANIFF WASHINGTON REPS ALREADY MAY HAVE PROVIDED DEPT SOME DETAILS OF THEIR PROBLEM.

4. SINCE THEN EMBASSY HAS HAD EXTENSIVE DISCUSSIONS WITH BRANIFF AND BRANIFF REP HAS MET TWICE WITH DNTAC ENDEAVORING TO PERSUADE GONZALES TO AUTHORIZE THE ADDITIONAL POINTS ON THE

TWO ROUTES ON A TEMPORARY BASIS. EMBASSY UNDERSTANDS GONZALES MAY HAVE AUTHORITY TO GIVE A TEMPORARY PERMIT PENDING A PUBLIC HEARING, BUT WE ARE NOT CERTAIN FROM LEGAL STANDPOINT.

5. BRANIFF HAS ANOTHER MEETING WITH GONZALES JANUARY 21. IF BRANIFF UNSUCCESSFUL AT THIS MEETING AND UNLESS DEPT WISHES EMBASSY TO USE OTHER TACTICS, ECONCOUNS WILL PRESS GONZALES TO AUTHORIZE STOPS REQUESTED BY BRANIFF ON TEMPORARY BASIS UNTIL HEARINGS HELD.

6. EMBASSY UNCERTAIN WHETHER GONZALES WILL BE WILLING TO DO THIS, THOUGH HE MAY BE PERSUADED. BRANIFF LAWYERS CONFIRM GONZALES IS CORRECT IN SAYING HE DOES NOT HAVE ADMINISTRATIVE AUTHORITY TO CHANGE POINTS SERVED ON ROUTES, AND THAT HEARING IS CALLED FOR UNDER ARGENTINE LAW. IN THESE CIRCUMSTANCES WE THINK PERSUASION IS COURSE TO FOLLOW SINCE WE ARE ASKING HIM TO MAKE EXCEPTION TO NORMAL PROCEDURES. IT IS UNFORTUNATE-- SINCE BRANIFF APPLICATION FOR ROUTE CHANGES WAS SUBMITTED DEC 23 -- THAT GONZALES APPARENTLY UNINFORMED OF THIS POTENTIAL PROBLEM IN WASHINGTON. EMBASSY WILL REMIND HIM OF INTENTIONS EXPRESSED BY DELEGATIONS NOT TO CREATE "UNPLEASANT SURPRISES" WITH REGARD TO OPERATIONS OF AIRLINES PENDING COMPLETION OF CONSULTATIONS, BUT GIVEN YEAR-END HOLIDAYS HE MAY VERY WELL NOT HAVE HAD WORD ON THESE CHANGES.

7. EXPECT TO SEE GONZALES JAN 22 OR 23 IN ORDER FOR REPRESENTATIONS TO BE EFFECTIVE, AND WOULD NEED TO RECEIVE ANY DEPARTMENT COMMENTS OR SUGGESTIONS BEFORE THEN.
BEAL

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, NEGOTIATIONS, AIR SCHEDULES
Control Number: n/a
Copy: SINGLE
Draft Date: 21 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BUENOS00391
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760022-1205
From: BUENOS AIRES
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760138/aaaabhjg.tel
Line Count: 144
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 9629, 76 STATE 11399
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 07 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 JUL 2004 by KelleyW0>; APPROVED <07 JUL 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: US/GOA BILATERAL CONSULTATIONS AND BRANIFF'S SCHEDULED CHANGES
TAGS: EAIR, AR, US, BRANIFF
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006